



PROSKAUER ROSE LLP Dale A. Schreiber (DS-9211) Colin A. Underwood (CU-3445) Seth B. Schafler (SS-5993) 1585 Broadway New York, NY 10036-8299 (212) 969-3000 (212) 969-2900 (fax)

RAY, ROBINSON, CARLE & DAVIES P.L.L. Gene B. George, Esq. Julia R. Brouhard, Esq. 1717 East 9th Street, Ste. 1650 Cleveland, Ohio 44114-2898 (216) 861-4533 (216) 861-4568 (fax)

Attorneys for Defendants Cleveland-Cliffs Inc and The Cleveland-Cliffs Steamship Company

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YOUR

AMERICAN STEAMSHIP OWNERS MUTUAL PROTECTION AND INDEMNITY ASSOCIATION, INC.

Plaintiff,

v.

ALOCA STEAMSHIP CO., INC. and the Other Entities Listed on Exhibit A hereto,

Defendants.

TO:

Lawrence J. Bowles, Esq. Nourse & Bowles, LLP One Exchange Plaza at 55 Broadway New York, NY 1006-3030

and

CASE NO. 04 CV 04309 (LAK)

X

NOTICE OF MOTION FOR ADMISSION PRO HAC VICE

All Counsel of Record

and

All Unrepresented Defendants

PLEASE TAKE NOTICE that upon the Declaration of Dale A. Schreiber, executed on October 6, 2004, the affidavits of Gene B. George and Julia R. Brouhard sworn to on October 6, 2004, defendants Cleveland-Cliffs Inc, erroneously named as successor to Cleveland-Cliffs Steamship Company, and The Cleveland-Cliffs Steamship Company will move this court, located at 500 Pearl Street, Daniel Patrick Moynihan United States Courthouse, New York, NY 10007, pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York for an Order allowing the admission of Gene B. George, Esq., a partner in the firm of Ray, Robinson, Carle & Davies, P.L.L. and a member in good standing of the Bar of the State of Ohio and Julia R. Brouhard, Esq. a partner in the firm of Ray, Robinson, Carle & Davies, P.L.L. and a member in good standing of the Bar of the State of Ohio, as attorneys *pro hac vice* to argue or try, if necessary, this case in whole or in part as counsel. There are no pending disciplinary proceedings against Mr. Gene B. George or Mrs. Julia R. Brouhard.

Dated: October 6, 2004

PROSKAUER ROSE LLP

Bv:

Dale A. Schreiber (DS-9211) 1585 Broadway New York, NY 10036-8299 (212) 969-3000

Tale a Noheiber

-and-

RAY, ROBINSON, CARLE & DAVIES, P.L.L. Gene B. George, Esq. PROSKAUER ROSE LLP Dale A. Schreiber (DS-9211) Colin A. Underwood (CU-3445) Seth B. Schafler (SS-5993) 1585 Broadway New York, NY 10036-8299 (212) 969-3000 (212) 969-2900 (fax)

RAY, ROBINSON, CARLE & DAVIES P.L.L. Gene B. George, Esq. Julia R. Brouhard, Esq. 1717 East 9th Street, Ste. 1650 Cleveland, Ohio 44114-2898 (216) 861-4533

Attorneys for Defendants Cleveland-Cliffs Inc and The Cleveland-Cliffs Steamship Company

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YOUR

AMERICAN STEAMSHIP OWNERS MUTUAL PROTECTION AND INDEMNITY ASSOCIATION, INC.

Plaintiff,

 \mathbf{v} .

ALOCA STEAMSHIP CO., INC. and the Other Entities Listed on Exhibit A hereto,

Defendants.

CASE NO. 04 CV 04309 (LAK)

AFFIRMATION OF DALE A. SCHREIBER IN SUPPORT OF APPLICATION FOR ADMISSION OF COUNSEL PRO HAC VICE

Dale A. Schreiber, being duly sworn according to law, deposes and says:

X

X

1. I am an attorney-at-law of the State of New York and a member of the firm of Proskauer Rose LLP, 1585 Broadway, New York, NY 10036-8299, attorneys for defendants Cleveland-Cliffs Inc, erroneously named as successor to Cleveland-Cliffs Steamship Company, and The Cleveland-Cliffs Steamship Company.

- I make this Affidavit in support of the application of Gene B. George, Esq. and 2. Julia R. Brouhard, Esq. for admission to the bar of this Court pro hac vice.
- Original Affidavits from Mr. Gene B. George and Mrs. Julia R. Brouhard in 3. support of their application for admission to the bar of this Court pro hac vice have also been filed in support of this Application.
- I will be associated with Mr. Gene B. George and Mrs. Julia R. Brouhard in the 4. defense of this matter, and I or another member or associate of Proskauer Rose, LLP, will file papers, enter appearances, and sign all pleadings, briefs and other papers to be filed with the Court as required by the Rules of this Court.

Dated: New York, New York October 6, 2004

PROSKAUER ROSE LLP

Dale A. Schreiber (DS-9211) 1585 Broadway

New York, New York 10036-8229

ale a Vokreiler

(212) 969-3000

PROSKAUER ROSE LLP Dale A. Schreiber (DS-9211) Colin A. Underwood (CU-3445) Seth B. Schafler (SS-5993) 1585 Broadway New York, NY 10036-8299 (212) 969-3000

RAY, ROBINSON, CARLE & DAVIES P.L.L. Julia R. Brouhard, Esq. Gene B. George, Esq. 1717 East 9th Street, Ste. 1650 Cleveland, Ohio 44114-2898 (216) 861-4533

Attorneys for Defendants Cleveland-Cliffs Inc and The Cleveland-Cliffs Steamship Company

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YOUR

AMERICAN STEAMSHIP OWNERS MUTUAL PROTECTION AND INDEMNITY ASSOCIATION, INC.

Plaintiff,

V.

ALOCA STEAMSHIP CO., INC. and the Other Entities Listed on Exhibit A hereto,

Defendants.

CASE NO. 04 CV 04309 (LAK)

VERIFIED MOTION OF JULIA R. BROUHARD FOR ADMISSION PRO HAC VICE

Pursuant to the local rules of the United States District Court for the Southern District of New York, I, Julia R. Brouhard, move to be admitted pro hac vice to the bar of this Court for the purpose of representing Cleveland-Cliffs Inc, erroneously named as successor to Cleveland-Cliffs Steamship Company, and The Cleveland-Cliffs Steamship Company, at their specific request, in this matter. In support of this motion, I submit the following information:

X

(a) My full name is Julia R. Brouhard;

- My office address is 1717 E. 9th Street, Suite 1650, Cleveland, Ohio (b) 44114, telephone number (216) 861-4533, fax number (216) 861-4568, email ibrouhard@rayrobcle.com;
- I am a partner with the law firm of Ray, Robinson, Carle & Davies P.L.L.; (c)
- I graduated from the University of Houston law school on May 16, 1981; (d)
- I am admitted to practice by the Bars of the following state and federal (e) courts:

Supreme Court of Texas - May 15, 1981 - No. 03087200 (currently inactive status)

Supreme Court of Ohio - September 19, 1989 - No. 0041811

U.S. District Court for the Northern District of Ohio – July 12, 1989

U.S. District Court for the Eastern District of Michigan -October 25, 1989

Trial Bar of the U.S. District Court for the Northern District of Illinois – July 16, 1992 –No. 90784309

U.S. District Court for the Western District of Pennsylvania – September 9, 1999

- I am a member in good standing of all Bars listed above (inactive status in (f) Texas) and I am not under investigation, suspension or disbarment from any Bar (see attached Ohio Certificate of Good Standing);
- I understand that I am charged with knowing and complying with the (g) Rules of this Court, including disciplinary rules.
- I agree to pay \$25.00 upon approval by this court. (h)

Movant attests under penalty of perjury the truth and accuracy of the foregoing facts, and respectfully requests that this motion to be granted and that the movant be admitted pro hac vice to the bar of the court to appear in the instant matter.

Dated: October 6th, 2004

October, 2004.

Sworn to before me and subscribed in my presence on this

DOUGLAS R. DENNY, Attorney NOTARY PUBLIC - STATE OF OHIO

My commission has no expiration data. Section 147.03 R.C.

The Supreme Court of Ohio

<u>CERTIFICATE</u>

I, RICHARD A. DOVE, Director of the Attorney Services Division of the Supreme Court of Ohio, do hereby certify that I am the custodian of the records of the Attorney Registration Section of the Supreme Court and that the Attorney Services Division is responsible for reviewing Court records to determine the status of Ohio attorneys. I further certify that, having fulfilled all of the requirements for admission to the practice of law in Ohio,

Julia Ranney Brouhard

was admitted to the practice of law in Ohio on September 19, 1989; has registered as an active attorney pursuant to the Supreme Court Rules for the Government of the Bar of Ohio; is in good standing with the Supreme Court of Ohio; and is entitled to practice law in this state.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed the seal of the Supreme Court, this 30th day of September, 2004.

RICHARD A. DOVE

Director, Attorney Services Division

Attornev Services Counsel

PROSKAUER ROSE LLP Dale A. Schreiber (DS-9211) Colin A. Underwood (CU-3445) Seth B. Schafler (SS-5993) 1585 Broadway New York, NY 10036-8299 (212) 969-3000

RAY, ROBINSON, CARLE & DAVIES P.L.L. Gene B. George, Esq. Julia R. Brouhard, Esq. 1717 East 9th Street, Ste. 1650 Cleveland, Ohio 44114-2898 (216) 861-4533

Attorneys for Defendants Cleveland-Cliffs Inc and The Cleveland-Cliffs Steamship Company

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YOUR

AMERICAN STEAMSHIP OWNERS MUTUAL PROTECTION AND INDEMNITY ASSOCIATION, INC.

Plaintiff,

v.

ALOCA STEAMSHIP CO., INC. and the Other Entities Listed on Exhibit A hereto.

Defendants.

CASE NO. 04 CV 04309 (LAK)

VERIFIED MOTION OF GENE B. GEORGE FOR ADMISSION PRO HAC VICE

Pursuant to the local rules of the United States District Court for the Southern District of New York, I, Gene B. George, move to be admitted pro hac vice to the bar of this Court for the purpose of representing Cleveland-Cliffs Inc, erroneously named as successor to Cleveland-Cliffs Steamship Company, and The Cleveland-Cliffs Steamship Company, at their specific request, in this matter. In support of this motion, I submit the following information:

(a) My full name is Gene B. George;

- (b) My office address is 1717 E. 9th Street, Suite 1650, Cleveland, Ohio 44114, telephone number (216) 861-4533, fax number (216) 861-4568, e-mail ggeorge@rayrobele.com;
- (c) I am a partner with the law firm of Ray, Robinson, Carle & Davies P.L.L.;
- (d) I graduated from the University of Michigan law school on December 22, 1973;
- (e) I am admitted to practice by the Bars of the following state and federal courts:

Supreme Court of Ohio – April 27, 1974 – No. 0001366

U.S. District Court for the Northern District of Ohio - 1974

Sixth Circuit Court of Appeals – 1976

- (f) I am a member in good standing of all Bars listed above and I am not under investigation, suspension or disbarment from any Bar (see attached the Ohio Certificate of Good Standing);
- (g) I understand that I am charged with knowing and complying with the Rules of this Court, including disciplinary rules.
- (h) I agree to pay \$25.00 upon approval by this court.

Movant attests under penalty of perjury the truth and accuracy of the foregoing facts, and respectfully requests that this motion to be granted and that the movant be admitted pro hac vice to the bar of the court to appear in the instant matter.

GENE B. GEORGE

Sworn to before me and subscribed in my presence on this _

day o

October, 2004.

DOUGLAS P. DOWN .

OUGLAS R. DENNY, Attorney NOTARY PUBLIC - STATE OF OHIO by commission has no expiration date.

Section 147.03 R.C.

The Supreme Court of Ghio

CERTIFICATE

I, RICHARD A. DOVE, Director of the Attorney Services Division of the Supreme Court of Ohio, do hereby certify that I am the custodian of the records of the Attorney Registration Section of the Supreme Court and that the Attorney Services Division is responsible for reviewing Court records to determine the status of Ohio attorneys. I further certify that, having fulfilled all of the requirements for admission to the practice of law in Ohio,

Gene Bruce George

was admitted to the practice of law in Ohio on April 27, 1974; has registered as an active attorney pursuant to the Supreme Court Rules for the Government of the Bar of Ohio; is in good standing with the Supreme Court of Ohio; and is entitled to practice law in this state.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed the seal of the Supreme Court, this 30th day of September, 2004.

RICHARD A. DOVE

Director, Attorney Services Division

Attorney Services Counsel

PROSKAUER ROSE LLP Dale A. Schreiber (DS-9211) Colin A. Underwood (CU-3445) Scth B. Schafler (SS-5993) 1585 Broadway New York, NY 10036-8299 (212) 969-3000

RAY, ROBINSON, CARLE & DAVIES P.L.L. Gene B. George, Esq. Julia R. Brouhard, Esq. 1717 East 9th Street, Ste. 1650 Cleveland, Ohio 44114-2898 (216) 861-4533

Attorneys for Defendants Cleveland-Cliffs Inc and The Cleveland-Cliffs Steamship Company

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YOUR

AMERICAN STEAMSHIP OWNERS MUTUAL PROTECTION AND INDEMNITY ASSOCIATION, INC.

Plaintiff,

٧.

ALOCA STEAMSHIP CO., INC. and the Other Entities Listed on Exhibit A hereto,

Defendants.

CASE NO. 04 CV 04309 (LAK)

PROPOSED ORDER ALLOWING APPEARANCE OF COUNSEL PRO HAC VICE

Upon the motion of defendants Cleveland-Cliffs Inc and The Cleveland-Cliffs Steamship Company that Gene B. George and Julia R. Brouhard be permitted to appear in this case on their behalf in the above-captioned action, it is hereby ORDERED:

X

That Gene B. George and Julia R. Brouhard may argue and try this matter on behalf of defendants The Cleveland-Cliffs Inc and The Cleveland-Cliffs Steamship Company.

Dated:

JUDGE:

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Verified Motion of Julia R. Brouhard for Admission Pro Hac Vice, Verified Motion of Gene B. George for Admission Pro Hac Vice, Affirmation of Dale A. Schreiber in Support of Application for Admission of Counsel Pro Hac Vice, Notice of Motion for Admission Pro Hac Vice and Proposed Order Allowing Appearance of Counsel Pro Hac Vice has been served on all counsel of record by means of the Court's electronic filing system and on all other parties or their counsel shown on the attached Service List by first class mail, postage prepaid, this 271 day of October, 2004.

ne of the attorneys for Defendants

VCleveland-Cliffs Inc and

The Cleveland Cliffs Steamship Company

SERVICE LIST

Academy Tankers Inc. c/o Secretary of State Townsend Building Dover, DE 19901

Canterbury Shipping Corp. c/o Secretary of State Townsend Building Dover, DE 19901

National Oil Transport Co. c/o Secretary of State Townsend Building Dover, DE 19901

Alcoa Steamship Co., Inc., as Successor to Lib-Ore Steamship, Inc., Pan-Ore Transportation, Inc. and Reynolds Metals Company 201 Isabella Street Pittsburgh, PA 15212

Barry L. Doney, VP American Atlantic Co. as Successor to American Dredging Company 900 East Eighth Avenue, Suite 300 King of Prussia, PA 19406

American Maritime Holdings Inc. 39 Broadway New York, NY 10006

American Steamship Company 500 Essjay Road Williamsville, NY 14221

Robert Gruendel Counsel for Apex Oil, Crest Tankers Inc., Mathiasen's Tanker Industry Inc. and Trinidad Corporation Curtis, Mallet-Prevost Cait & Masle 101 Park Avenue New York, New York 10178-0061

John Toriello Counsel for APL, Ltd. as Successor to American Mail Line and American President Lines, Inc. Holland & Knight 195 Broadway, 24th Floor New York, NY 10007

Atlantic Richfield Company 515 South Flower Street P.O. Box 2679 Los Angeles, CA 90071

Argosy Offshore Ltd. 1010 Milam Houston, TX 77002

Caribbean Steamship Co. S.A. P.O. Box 2568 Corpus Christi, TX 78403

Avon Steamship Co. Inc. Agents for Amherst Shipping Inc. 410 Lakeville Road, Rm. 201 Lake Success, NY 11040

Barber Asphalt Corp. c/o CT Corporation System 277 Park Avenue New York, NY 10017

Barge Transport Company P.O. Box 2569 1812 Durham Drive Houston, TX 77252-2569

Bermuda Atlantic Line Ltd. 760 N.E. 7th Avenue Dania, FL 33004

Donald I. Stauber Counsel for Bessemer Securities Corp. as Successor to Grosvenor-Dale Co., Inc. Chadbourne & Parke LLP 30 Rockefeller Plaza New York, NY 10112

John W. Cannavino Counsel for Chevron Texaco Corporation as Successor to California Oil Company Cummings & Lockwood LLC Four Stamford Plaza P.O. Box 120 Stamford, CT 06904-0120

Coal Logistics Corporation 30 Skyline Drive Lake Mary, FL 32795

Coastal Carriers Inc. c/o Clayton Ragas 216 Ft. Jackson Street Belle Chasse, LA 70037

Stacey L. Meisel Trustee in Bankruptcy for Compania de Navegacao Maritima Netumar d/b/a Netumar Lines Becker Meisel LLC Eisenhower Plaza II 345 Eisenhower Parkway, Suite 2800 Livingston, NJ 07039

Dillingham Construction World Headquarters 1020 Serpentine Lane, Suite 110 Pleasanton, CA 94566

Dillingham Construction Corporation 5960 Inglewood Drive P.O. Box 1089 Pleasanton, CA 94566

Steve Murray Edward A. Keane Counsel for The Dow Chemical Company and Union Carbide Corporation Mahoney & Keane 14 Pilgrim Lane Weston, CT 06883

Loveland Holding Company, Inc. f/k/a S.C. Loveland Co., Inc. P.O. Box 368 Supawna Road Pennsville, NJ 08070

Carolyn S. Schwartz Office of U.S. Trustee of **Enron Corporation** 33 Whitehall Street, 21st Floor New York, NY 10004

Equistar Chemicals, LP as Successor to Cuba Distilling Company and National Distilling Products Corp. 300 Doremus Avenue Newark, NJ 07105

Euro Gulf International c/o Diamond State Corp. Agents Inc. 1200 North Broom Street Wilmington, DE 19806

Federal Transport Company, Inc. c/o Del Monte Fresh Produce Company P.O. Box 149222 Coral Gables, GL 33114

Carissa A. Barletta Corporate Counsel Georgia Pacific Corp. 133 Peachtree Street, NE Atlanta, GA 30303

Global Bulk Transport Inc. 280 Park Avenue New York, New York 10017

Lee J. DiCola Grace Lines, Inc. c/o PLI Disbursement Trustee 2800 Carrington Street NW North Canton, OH 4470

Gulf International Marine Inc. c/o Gil Anthony Hebert 437 Menard Road Houma, LA 70360

Hendry Corporation P.O. Box 13228 Tampa, FL 33681-3228

John Cameron Counsel for Inland Lakes Management Inc. Warner Norcross & Judd 900 Fifth Third Center 111 Lyon Street NW Grand Rapids, Michigan 49503-2487

Camilo Cardozo Counsel for Ispat Inland Inc. Piper Rudnick 1251 Avenue of the Americas New York, NY 10020

Kirby Inland Marine, Inc. as Successor to Hollywood Marine, Inc. 55 Waugh Drive, Suite 1000 Houston, TX 77007

Lafarge North America Inc. as Successor to Huron Transportation, Inc. 12950 Worldgate Drive, Suite 600 Herndon, Virginia 20170

Mu-Petco Shipping Co. Inc. c/o The Corporation Trust Co. Corporation Trust Center 1209 Orange Street Wilmington, DE 19801

New Jersey Barging Corp. (Del.) c/o The Corporation Trust Co. Corporation Trust Center 1209 Orange Street Wilmington, DE 19801

National Gypsum Co. 2001 Rexford Rd. Charlotte, NC 28211 Ormet Corporation 1233 Main Street, Suite 4000 Wheeling, WV 26003

Nicor Inc., as Successor to National Marine Service Inc. and Lake Tankers Corporation 1209 Orange Street Wilmington, DE 19801

Offshore Express Inc. 438 Menard Road P.O. Box 2666 Houma, LA 70361

Oglebay Norton, as Successor to Columbia Steamship Company Inc. North Point Tower 1001 Lakeside Ave., 15th Floor Cleveland, OH 44114

Robert A. O'Hare, Jr. Counsel for Central Gulf Lines as Successor to Central Gulf Lighters/ Waterman Steamship Corporation O'Hare Parnagian LLP 82 Wall Street, Suite 300

New York, NY 10005-3686

Lee I DiCola Prudential Lines, Inc. c/o PLI Disbursement Trustee 2800 Carrington Street NW North Canton, OH 44709

Puerto Rico Maritime Shipping Authority Building No. 123 Fleet and Bombay Streets Elizabeth, NJ 07208

Resolve Maritime Corporation c/o Charles Lea Hume 25 W. Flagler Street 5th Floor, City National Bank Building Miami, FL 33130

Sabine Towing & Transportation Co., Inc. 7200 Highway 87 East Port Arthur, TX 77642

Sea Mobility Inc. c/o US Corporation Company 2711 Centerville Road, Suite 400 Wilmington, DE 19808

World Wide Tankers Inc. c/o US Corporation Company 2711 Centerville Road, Suite 400 Wilmington, DE 19808

Seaport Harbor Cruise Lines 17 Battery Place New York, NY 10004

SEI II Equipment Inc. f/k/a Shearson Equipment Management 745 7th Avenue New York, NY 10019

Weeks Marine Inc. as Successor to American Dredging Company 4 Commerce Drive Cranford, NJ 07016

Texas City Refining Inc. P.O. Box 1271 Texas City, TX 77592-1271 Tropigas Inc. 2151 LeJune Road Coral Gables, FL 33134

Unites States Maritime Administration US DOT 400 7th Street, SW Washington, DC 20590

Verizon Communications as Successor to New York Telephone 1095 Avenue of the Americas New York, NY 10036

West India Shipping Co., Inc. Agents for West India Industries, Inc. 18th Floor, Great Southwest Building 1314 Texas Street Houston, TX 77002

Aremar C.I.F.S.A. Viamonte 494 9 Piso 1053 Buenos Aires, Argentina

Arpez S.A. Calle Venezuela 110 1095 Bucnos Aircs, Argentina

Atlantic Richfield Indonesia Inc. Landmark Center Tower B Jl. Jenderal Sudirman Kav. 70A P.O. Box 1063 12910 Jakarta Java, Indonesia

Astra Compania Argentina de Petroleo S.A. Tucuman 744, 11th Floor 1049 Buenos Aires, Argentina

Avila y Pizarro Compania Ltda. Agents for Van Gogh Inversiones SA Blanco 570 Valparaiso, Chile

Trade & Transport Inc. 61-65, Filonos Street P.O. Box 104 Piraeus, Greece

Empresa de Navegacion El Faro Calle Lavalle 388 1047 Buenos Aires, Argentina

Marifran International S.A. Calle Paraguay 577 4 Piso Buenos Aires, Argentina

Marifran International S.A. Avenida 25 de Mayo 401 1002 Buenos Aires, Argentina

Nedbarges Sublift BV Westmolenstraat 1 Lange Haven, 3111 BS Schiedam Netherlands

Oscar Transportation Group 97, Akti Miaouli 185 38 Piraeus, Greece

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Mindy G. Davis Christine Davis Counsel for Amerada Hess as Successor to Hess Oil and Chemical Corp. Howrey Simon Arnold & White LLP 1299 Pennsylvania Avenue, NW Washington, DC 20004-2402

Tom E. Tetlak, Esq., Senior Attorney BP America Inc. (as Successor to American Oil Company/Standard Oil Company (Ohio)/ Ohio Alaskan Petroleum Co./ SPC Shipping Inc.) 4101 Winfield Road Mail Code 5 West Warrenville, IL 60555